

REMARKS

Claims 8-15 remain in this application. Claims 1-7 were previously canceled, and new claims 16-17 are added. Reconsideration of the application is requested.

Independent claim 8 is rejected under 35 U.S.C. § 103(a), along with dependent claims 9-13, as unpatentable over the Gallup ('439) and Wallman ('024) patents relied on previously in view of newly applied U.S. Patent 6,786,545 to Bargheer. Reconsideration is requested.

As amended above, claim 8 defines features of the invention described, for example, in paragraph 0013 of the substitute specification. In particular, claim 8 now requires the automotive seat air supply device forming the subject matter of this application to include, in combination with the other, previously specified, elements, a grating element that is securable within the air duct, adjacent to an air outlet opening, and removable from within the air duct.

It is respectfully submitted that the limitations noted serve to patentably distinguish the invention claimed from the disclosures relied on by the Examiner. In the third full paragraph on page 3 of the Office Action, the Examiner asserts that the Gallup ('439) sensor 102 "is arranged close to a grating element 16 (col. 5, ll. 30-32) positioned inside the air duct." The Gallup ('439) outside surface covering 16, here, has been improperly characterized by the Examiner as a grating element. That surface covering 16, moreover, is neither securable within the Gallup ('439) air duct 46 nor removable from within that air duct 46. Neither of the two secondary patent disclosures relied on by the

Examiner suggests modifying the Gallup ('439) system in a way that would meet the limitations noted, moreover, and claim 8 above should be patentable.

New claims 16 and 17 are added to specify features described in paragraph 0013 of the substitute specification resulting from the presence of the grating element. These features are recognized in or disclosed by any of the disclosures relied on.

Claims 16 and 17, moreover, are dependent claims, and should be patentable, along with all of the other claims remaining in this application, for the same reasons as independent claim 8.

This application is in allowable condition for reasons discussed above. If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 095309.56912US).

Respectfully submitted,

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